

National Type Evaluation Program (NTEP) Committee Interim Agenda

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INTRODUCTION

The NTEP Committee will address the following items at its 2006 Interim Meeting. Except when posted, all meetings are open to the membership. The members will be invited to engage in dialogue with the NTEP Committee on issues that the NTEP Committee has on its agenda. The NTEP Committee is currently working on the following issues:

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Details of All Items
(In Order by Reference Key Number)

1. Test Data Exchange Agreements

Background/Discussion: This item was included on the committee's agenda in 1998 to provide an update on NTEP's work to establish bilateral and multilateral agreements. Under such agreements and arrangements, manufacturers would be able to submit their equipment to any of the participating countries for testing to OIML-recommended requirements. The resulting test data would be accepted by other participants as a basis for issuing each country's own type approval certificate. Following is a report on the three types of test data exchange agreements.

Mutual Acceptance Arrangement (MAA): NTEP Director, Stephen Patoray attended an MAA Seminar for Assessors on September 5 - 6, 2005. During this seminar, Mr. Patoray provided the attendees an overview of the additional requirements in the United States for both OIML R76 and R60. He will update the attendees at the 2006 NCWM Interim meeting regarding the current status of the MAA and other developments. The next scheduled meeting of the Committee on Participation Review (CPR) for R76 and R60 is now scheduled for March 7 - 10, 2006, in Sydney, Australia.

The NTEP Committee discussed the MAA during the fall 2006 NTEP Committee meeting. Based on previous input from the NCWM membership and other discussion on this topic, the NTEP Committee believes the United States should be a Country A (issuing participant) with full laboratory capabilities for OIML R76 "Non-automatic Weighing Instruments" and should not participate in a Declaration of Mutual Confidence (DoMC) as a Country B (utilizing

participant) for R76. However, the NTEP Committee recognizes that currently there are no identified resources available to be able to move forward with a laboratory for R76. Based on this fact and given the realities of the NIST Force Group's position to not participate as a testing laboratory for OIML R60 "load cells", the NTEP Committee is recommending the NCWM Board of Directors consider signing the DoMC as a Country B for R60 "load cells" only.

The MAA will also be on the Board's agenda for January at the Interim Meeting.

Bilateral Agreements: No additional discussions have been held on this topic, pending the outcome of the MAA discussions.

NTEP-Canada Mutual Recognition Program: No additional areas of MRA activities have been identified.

2. Adoption of Uniform Regulation for National Type Evaluation by States

Background/Discussion: The Scale Manufacturers Association (SMA) has hosted NTEP adoption and implementation meetings for state directors at each regional weights and measures association conference. These meetings enable jurisdictions to share information about adopting and implementing NTEP in their respective jurisdictions, encourage non-NTEP jurisdictions to adopt the regulation, and allow current NTEP jurisdictions to share ideas on how to make enforcement more effective and uniform among the states. The meetings also provide NTEP management with information related to areas in which the operation and implementation of the program can be improved. Several questions have been posed at these meetings about issues associated with NTEP interpretation or practice. Comments from 1997 to 2004 have been summarized, without attribution, and are available for review and download on the SMA website at <http://www.scalemanufacturers.org>.

During the most recent NCWM Annual meeting, SMA Representative, Darrell Flocken, indicated the SMA decided it would be more useful to show which states require NTEP Certificates before allowing weighing and measuring devices to be certified as legal for trade, regardless of their adoption of the NIST/NTEP URNTE. SMA developed a new map that shows that status. The SMA, deciding that it would be more useful to show which states require Registration of Service Agencies and Service Personnel regardless of their adoption of VRSA, developed separate maps that show that status. Such maps are available for review and download on the SMA website at <http://www.scalemanufacturers.org>.

Mr. Flocken will update the attendees on any additional developments in this area. Based on comments from the NCWM membership, the NTEP Committee will make a final decision to discontinue this item from the NTEP report.

3. NTEP Participating Laboratories and Evaluations Reports

At the 2006 NCWM Interim Meeting, Stephen Patoray, NTEP Director, will update the committee on NTEP laboratory and administrative activities since October 1, 2003. A report of NTEP laboratory activities will be distributed at the 2006 NCWM Interim Meeting.

The NTEP Weighing and Measuring Laboratories held a joint meeting in April 2005 in Columbus, OH. The NTEP Weighing Laboratories met again on September 25, 2005, before the Weighing Sector meeting in Columbus, OH, and the NTEP Measuring Laboratories met on October 21, 2005, prior to the Measuring Sector in Nashville, TN.

The next NTEP Laboratories meeting is scheduled April 2 - 5, 2006, in Annapolis, MD.

4. NTETC Sectors Reports

The committee will hear an update on the activities of the National Type Evaluation Technical Committee (NTETC) Sectors at the 2006 NCWM Interim Meeting. Outlined below is a brief summary of sector activities since the 2005 NCWM Annual Meeting.

Grain Analyzer Sectors: The NTETC Grain Analyzer Sector held a joint meeting in Kansas City, MO, on August 24 - 25, 2005. A draft of the final summary will be provided to the committee prior to the 2005 NCWM Interim Meeting for review and approval.

The next meeting of the Grain Analyzer Sector is tentatively scheduled for August 2006 in Kansas City, MO. For questions on the current status of sector work or to propose items for a future meeting, please contact the sector technical advisors:

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Measuring Sector: The NTETC Measuring Sector met October 21 - 22, 2005, in Nashville, TN. A draft of the final summary will be provided to the NTEP Committee prior to the 2006 NCWM Interim Meeting for review and approval.

The next meeting of the Measuring Sector is scheduled for October 2005 in conjunction with the Southern Weights and Measures Association's Annual Meeting. For questions on the current status of sector work or to propose items for a future meeting, please contact the sector technical advisor:

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Weighing Sector: The NTETC Weighing Sector met September 25 - 27, 2005, in Columbus, OH. A final draft of the meeting summary will be provided to the committee prior to the 2006 NCWM Interim Meeting for review and approval.

The next Weighing Sector meeting is scheduled for September 2006 in Annapolis, MD. For questions on the current status of sector work or to propose items for a future meeting, please contact the sector technical advisor:

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NTETC Sector Summaries: The NTEP Committee will receive copies of the summaries prior to the NCWM Interim Meeting for its review and approval. Past NTETC Sector summaries are available upon request from NCWM and the NIST Sector Technical Advisors:

NCWM Inc. or
Phone: (240) 632-9454
e-mail: ncwm@mgmtsol.com

NIST WMD Technical Advisor, Steve Cook
(See contact information above)

5. NTEP Participation in U.S. National Work Group on Harmonization of NIST Handbook 44, NCWM Publication 14 and OIML R76 and R60.

The Secretariat for OIML TC9/SC1 recently submitted the second Committee Draft (2CD) of OIML R76-1 "Non-automatic Weighing Instruments" to the participating members of TC9/SC1 for review, comment, and vote. The 2CD

was developed based on an analysis of the 1992 edition OIML R76, answers from OIML TC9/SC1 members to a questionnaire distributed in May 2002, and comments on the December 2003 Working Draft (WD) for R76. The 2CD includes the changes to the December 2003 WD and the December 2004 1CD based upon comments and recommendations of the U.S. National Work Group on R76 (USNWG) and other countries.

The United States submitted twenty-seven recommendations and requests for clarifications to the Secretariat of TC9/SC1 on the 1CD and opposed the 1CD being elevated to a Draft Recommendation. Eighteen of the U.S. recommendations and requests for clarification were accepted by the Secretariat, four recommendations resulted in alternate language proposed by the Secretariat, and five recommendations were not accepted by the Secretariat. The Secretariat provided the United States with a reason the remaining comments were not accepted

The secretariat has already registered the 2CD of R76-1 as a Draft Recommendation (DR) to not further prolong the revision process at the technical committee level provided that the 2CD receives approval.

NIST WMD has asked that the USNWG for R76 and other interested individuals, organizations, and associations review the 2CD and submit any comments, along with recommended language and technical justifications to NIST WMD by December 30, 2005, so that a U.S. position can be prepared by January 30, 2006. Comments should be submitted to the attention of Steven Cook at the address listed in agenda item 4 above.

Although this current review of R76 is likely to be completed shortly, OIML has indicated a willingness to revisit the Recommendation and to consider including a large-capacity class similar to the current Handbook 44 Class III L and the Canadian Class III HD at some point in the future. WMD will be working with our Canadian counterparts to develop a North American Heavy-Duty Device Class.

WMD has prepared a direct link to the documents referenced above on the NIST WMD home page that can be used to help in the review and analysis of the 2CD.

6. Software Sector

Background: During the 2005 NCWM Annual Meeting, general comments from the floor were supportive of developing this issue further. The NTEP Committee discussed the pros and cons of software evaluation. General concerns related to difficulties identifying software and determining traceability to an NTEP Certificate of Conformance during field verification and providing NTEP laboratories with a meaningful and functional checklist for evaluating software security and functions. NCWM staff presented the costs involved with forming a sector and the costs to conduct a sector meeting. This information, along with a detailed action plan for the development of the sector charges, was presented and reviewed by the NCWM Board of Directors. Based on this information, a decision was made at the 2005 Annual Meeting to form a Software Sector. Funding was provided for this sector in the 2006 Budget.

The first scheduled meeting of the Software Sector is set for April 5 - 7, 2006, in Annapolis, MD.

7. Conformity Assessment Program (CAP)

At the Fall 2006 NTEP Committee meeting the committee discussed the current status of the CAP project. The following items were noted:

Certificate Review: The question is how this would be accomplished given the limited resources of NCWM. It was suggested that this item may need to be put on a "back burner" until resources can be clearly identified to proceed with the project in an efficient, thorough, and accurate manner.

Initial Verification: This part of the project is moving forward. The work group chair, Lou Straub, has sent out requests to several states to act in the pilot program for Initial Verification. Several of the states have responded positively. The work group is currently waiting for data. There are still questions on what will be done with this data and how it will be tabulated.

Verified Conformity Assessment Program (VCAP): In the opinion of the NTEP Committee, additional information may be needed from the work group to move this area of the program forward. A request will be made to the work group chair for a report on the current status of this committee.

James Truex, Ohio, NTEP Committee Chair
Don Onwiler, Nebraska, NCWM Chair
Mike Cleary, California, NCWM Chair-Elect
Stephen Pahl, Texas
Charles Carroll, Massachusetts

NTEP Technical Advisor: S. Patoray, NTEP Director
NTEP Technical Advisor: S. Cook, WMD

National Type Evaluation Program Committee